

REMARKS

Claims 13, 14, 18, 21, 23, 25, and 27-42 are currently pending and under consideration. Claims 1-12, 15-17, 19-20, 22, 24, 26 were previously cancelled and remain cancelled.

In the Office Action dated October 27, 2009, claims 13, 14, 18, 21, 23, 25, and 27-42 were rejected.

With this amendment, claims 13, 14, 18, 21, 23, 27, 29-33, 37 and 41 are amended.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 13, 14, 18, 21, 23, 25, 27, and 34-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dedrick* (US 5,717,923) in view of *Lee* (6,751,459)

Claims 28-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dedrick* (US 5,717,923) in view of *Lee* (US 6,751,459) and further in view of Examiner's unsupported allegation of what was known at the time of the claimed invention. Applicant respectfully traverses these rejections.

In relevant part, each of the independent claims 13, 14, 18, 21, 23, and 27 recites generating original profile information based on a use record information without preserving the records, original profile information, and accumulated record information.

This is clearly unlike *Dedrick* and *Lee* which both fail to disclose or even fairly suggest generating original profile information based on a use record information without preserving the records, original profile information, and accumulated record information. Instead, *Dedrick* discloses requesting metering information from a session manager which retrieves the information from a metering service without manipulating the database records. See, U.S. Pat.

No. 5,717,923, Col. 9, l. 66-Col. 10, l. 25. This cannot be fairly viewed as generating original profile information without preserving the records, original profile information, and accumulated record information, because *Dedrick* merely discloses retrieving information from a database and sending the information to a requesting device.

Lee fails to disclose anything pertaining to generating original profile information, much less generating profile information based on a use record information without preserving the records, original profile information, and accumulated record information.

As the Applicant's specification discloses, by generating original profile information based on a use record information without preserving the records, original profile information, and accumulated record information, the most current profile information is generated based on the use record information. See, Specification, Page 19.

Therefore, because *Dedrick*, *Lee* and any combination of them fails to disclose or even fairly suggest each feature of claims 13, 14, 18, 21, 23, and 27, the rejection of claims 13, 14, 18, 21, 23, and 27 cannot stand. Because claims 25 and 34-42 depend, either directly or indirectly from claims 13, 14, 18, 21, 23, and 27, they are allowable for at least the same reasons.

Conclusion

Applicant respectfully requests withdrawal of the rejections and believes that the claims as presented represent allowable subject matter. If the Examiner desires, applicant welcomes a telephone interview to expedite prosecution and is available at the telephone number below.

Respectfully submitted,

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